REMARKS

I. Introduction

In response to the Office Action dated December 23, 2008, claims 1, 5, 6 and 7 have been amended, claims 17-42 have been canceled, and new claims 43-58 have been added. Claims 1-16 and 43-58 are in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Claims

Applicants' attorney has canceled withdrawn claims 17-42 and added new claims 43-58 that are "method" counterparts to claims 1-16.

III. Prior Art Rejections

In paragraph (3) of the Office Action, claims 1-7, 9 and 12 were rejected under 35 U.S.C. §102 as being anticipated by Edwards, U.S. Publication 2004/0228292 (Edwards). In paragraph (6) of the Office Action, claims 8 and 16 were rejected under 35 U.S.C. §103(a) as being obvious in view of the combination of Edwards and Boyle et al., U.S. Patent 6,606,305 (Boyle). In paragraph (7) of the Office Action, claim 7 was rejected under 35 U.S.C. §103(a) as being obvious in view of the combination of Edwards and Sarkar et al., U.S. Patent 7,236,580 (Sarkar). In paragraph (8) of the Office Action, claim 11 was rejected under 35 U.S.C. §103(a) as being obvious in view of the combination of Edwards and Ahmed et al., U.S. Patent 7,085,364 (Ahmed). In paragraph (9) of the Office Action, claims 13 and 15 were rejected under 35 U.S.C. §103(a) as being obvious in view of the combination of Edwards and Wilson, U.S. Patent 6,192,119 (Wilson). In paragraph (10) of the Office Action, claim 14 was rejected under 35 U.S.C. §103(a) as being obvious in view of the combination of Edwards and Botterell et al., U.S. Patent 3,912,874 (Botterell).

Applicants' attorney respectfully traverses these rejections in light of the amended and new claims above and the arguments below. Specifically, Applicants' attorney submits that the Edwards, Boyle, Sarkar, Ahmed, Wilson and Botterell references, taken individually or in any combination, do not teach or suggest all of the limitations of Applicants' claims.

For example, Applicants' claimed invention operates in a different manner from the system in Edwards. Specifically, Applicants' claimed invention provides group voice services comprising both a half-duplex Push-to-Talk (P2T) session and a full-duplex Push-to-Conference (P2C) session, in a cellular network, using a real-time exchange that interfaces to a mobile switching center in the cellular network.

Edwards, on the other hand, discloses a wireless communication system, known as Integrated Digital Enhanced Network (iDEN), which is manufactured by Motorola, Inc. The well-known iDEN system is operated, for example, by Sprint Nextel for dispatch calls (i.e., "Push-to-Talk"). However, the iDEN system operates in parallel with, but separately from, an associated cellular network.

Thus, Edwards does not teach or suggest the limitations of Applicants' claims directed to a real-time exchange that interfaces to a mobile switching center in the cellular network to provide both the half-duplex Push-to-Talk (P2T) and full-duplex Push-to-Conference (P2C) capabilities. In addition, Edwards does not teach or suggest that both the real-time exchange and the handsets participating in the half-duplex Push-to-Talk (P2T) and full-duplex Push-to-Conference (P2C) sessions communicate with each other using the (same) call setup, in-band signaling and voice frame switching within the cellular network as used for calls (i.e., "normal" calls) within the cellular network.

It this description of how (normal) calls, half-duplex Push-to-Talk (P2T) sessions, and full-duplex Push-to-Conference (P2C) sessions are all similarly implemented in Applicants' cellular network that distinguish Applicants' claims over Edwards. Specifically, because Edwards' iDEN system operates in parallel with, but separately from, the cellular network, it does not use the same call setup, in-band signaling and voice frame switching for normal calls as well as for half-duplex Push-to-Talk (P2T) and full-duplex Push-to-Conference (P2C) sessions.

In another example, Applicants' claimed invention also operates in a different manner from the system in Boyle. Boyle implements a conference bridge within, for example, a cellular system by interfacing the conference bridge to a mobile switching center. However, in Boyle, the selection of whether the call should be a full-duplex conference call or a half-duplex broadcast session is made when the call is placed, and Boyle says nothing about upgrading a half-duplex broadcast session to full-duplex conference call, during the half-duplex broadcast session.

Moreover, while Edwards describes how a dispatch call can be switched between half-duplex and full-duplex, the teachings of Edwards cannot be used to modify Boyle to accomplish Applicants' claimed invention, because Edwards and Boyle operate in different networks and in a different manner. Specifically, as noted above, Edwards describes the iDEN system that operates in parallel with, but separately from, an associated cellular network, while Boyle describes a cellular system that interfaces the conference bridge to a mobile switching center. Indeed, when combined, Edwards and Boyle would perform the half-duplex dispatch and the full-duplex dispatch or conference call either in the iDEN system (per Edwards) or the cellular system (per Boyle), but would upgrade the half-duplex dispatch to the full-duplex dispatch only within the iDEN system or from the iDEN system to the cellular system (per Edwards). Applicants' claimed invention, on the other hand, upgrades the half-duplex Push-to-Talk session to the full-duplex Push-to-Conference session completely within the cellular system.

The remaining references, Sarkar, Ahmed, Wilson and Botterell, fail to overcome the deficiencies of Edwards in these aspects. Recall that these references were only cited against Applicants' dependent claims, and were only cited for teaching: that a passive participant may mute his/her audio output and listen to a conference call (Sarkar), that an initiator of a conference call can drop or add participants during the call (Ahmed), that the initiator of the conference call should be billed for the call (Wilson), and that when a conference originator decides to end a conference, all the conferee ports are released (Botterell).

In view of the above, Applicants' attorney submits that the Edwards, Boyle, Sarkar, Ahmed, Wilson and Botterell references, taken individually or in any combination, do not teach or suggest all of the limitations of Applicants' claims. Moreover, the various elements of Applicants' claimed invention together provide operational advantages over the references. In addition, Applicants' invention solves problems not recognized by the references.

Thus, Applicants' attorney submits that independent claims 1 and 43 are allowable over the Edwards, Boyle, Sarkar, Ahmed, Wilson and Botterell references. Further, dependent claims 2-16 and 44-58 are submitted to be allowable over the references in the same manner, because they are dependent on independent claims 1 and 43, respectively, and thus contain all the limitations of the independent claims. In addition, dependent claims 2-16 and 44-58 recite additional novel elements not shown by the references.

IV. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in an interview, the Examiner is urged to call Applicants' undersigned attorney.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP.

Respectfully submitted,

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